

OHIO DIVISION OF RECLAMATION

REVIEW OF REQUEST FOR EXTENSION OF TIME

NOV # /IHCO # 11726

Permittee Name American Energy Corporation Phone No. 740 926 9152
 Address 43521 Mayhugh Hill Road Beaverville OH
 NOV/IHCO Discovery Date 8/23/05 Current Abatement Date 1/20/06
 Requested Abatement Date 3/20/06 Permit No. D-0425

Describe the violation or attach a copy of the NOV/IHCO to this request and describe the progress made to date in abating the violation:

ARP Has been submitted and revisions received. The revisions include a request for an automated leak detection device. No such device has currently be utilized in the mining industry. We have found an expensive system that may work and we are still evaluating the system. We will have the ARP submitted next week, but the ARP will need to be reviewed by ODNR.

INDICATE WHICH RULE BELOW JUSTIFIES THE EXTENSION AND ATTACH THE APPROPRIATE DOCUMENTATION AS DESCRIBED IN P.P.D. 93-5, INSPECTION AND ENFORCEMENT.

1501: 13-14-02 (B)(3)

(Check only one of the following)

- ☒ (a) When a permittee has applied, in a timely manner, for and diligently pursued a permit renewal or other necessary approval of designs or plans but such renewal or approval has not been issued within ninety days after the permittee's valid permit expires for reasons not within the control of the permittee;
- ☐ (b) When there is a valid judicial order precluding abatement within ninety days as to which the permittee has diligently pursued all rights of appeal and as to which he or she has no other effective legal remedy;
- ☐ (c) When the permittee cannot abate within ninety days due to labor strike;
- ☐ (d) When climatic conditions preclude abatement within ninety days or when, due to climatic conditions, abatement within ninety days clearly would cause more environmental harm than it would prevent; or
- ☐ (e) When abatement within 90 days requires action that would violate safety standards established by statute or regulation under the Mine Safety and Health Act.

PERMITTEE SIGNATURE Melanie Murray DATE 1/12/06

Note: Submit this request to the District Office at least five (5) calendar days prior to the current abatement date.